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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference tex-59-pct	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/DE2005/000032	International filing date (day/month/year) 12.01.2005	Priority date (day/month/year) 13.01.2004	
International Patent Classification (IPC) or national classification and IPC F16B33/00, F16B35/04, F16B35/06, F16B37/04			
Applicant TEXTROL VERBINDUNGSTECHNIK GMBH & CO. OHG			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of **4** sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. (*sent to the applicant and to the International Bureau*) a total of _____ sheets, as follows:
 - sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/DE2005/000032

Box No. I Basis of the report
<p>1 With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:</p> <ul style="list-style-type: none"> <input type="checkbox"/> international search (Rule 12.3 and 23.1(b)) <input type="checkbox"/> publication of the international application (Rule 12.4) <input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3) <p>2 With regard to the elements of the international application, this report is based on (<i>replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report</i>):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description: pages <u>1-5</u> as originally filed/furnished pages* _____ received by this Authority on _____ pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims: nos. <u>1-9</u> as originally filed/furnished nos.* _____ as amended (together with any statement) under Article 19 nos.* _____ received by this Authority on _____ nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings: sheets <u>1/5-5/5</u> as originally filed/furnished sheets* _____ received by this Authority on _____ sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> <p>3 <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the description, pages _____ <input type="checkbox"/> the claims, nos. _____ <input type="checkbox"/> the drawings, sheets/figs _____ <input type="checkbox"/> the sequence listing (<i>specify</i>): _____ <input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____ <p>4 <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <ul style="list-style-type: none"> <input type="checkbox"/> the description, pages _____ <input type="checkbox"/> the claims, nos. _____ <input type="checkbox"/> the drawings, sheets/figs _____ <input type="checkbox"/> the sequence listing (<i>specify</i>): _____ <input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/DE2005/000032

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1 - 9</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1 - 9</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1 - 9</u>	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70(7))

- 1 The invention relates to a bolt that can be pressed into a metal sheet in a torsion- and ejection-proof manner.

- 2 The features of the first part of claim 1 are known from the publication D1, DE 200 12 097 U1.

- 3 The present invention addresses the problem of ensuring that the bolt sits in a liquid- and gas-tight manner once it has been pressed in.
 - 3.1 Although it is known from the publications D2, US-A-2 933 006, and D3, US-A-2 326 455, that the side of the head facing the metal sheet is partially or fully provided with a rubber-elastic sealing material, it was not obvious to apply such a solution to D1:

 - 3.2 It was not obvious for a person skilled in the art to combine publications D1 and D2, since said person would already have been prejudiced to the extent that, in the case of bolts that can be pressed into a metal sheet in an ejection-proof

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manner, it is already difficult enough to ensure a sufficiently good nonpositive closure between the bolt and the metal sheet to ensure ejection proofness in the first place. The thought that one would then be able to transfer the forces necessary for generating the closure pressure which brings about the sealing effect of the sealing material would seem abstruse to a person skilled in the art aware of the prior art.

- 3.3 The same argument applies likewise to a combination of D1 with D3. D3 similarly does not show a bolt that can be pressed into a metal sheet in an ejection-proof manner, but rather a rivet. It is obvious for a person skilled in the art that, after placing such a rivet, twisting with the deformed shaft generates the force required to provide sufficient closure pressure for the sealing materials. D3 is thus further removed from the subject matter of the invention than D2.
- 4 The invention is therefore novel and involves an inventive step. It is industrially applicable in steel construction.
- 5 Dependent claims 2-9 relate to particular embodiments of the invention.